IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:	Atty. Docket No.: 003797.00007
Timothy A. McDonough et al.	
Serial No.: 09/699,517	Group Art Unit: 2629
Filed: October 31, 2000	Examiner: Abbas Abdulselam
For: User Notification System with an Illuminated Computer User Interface	Confirmation No.: 7863

SUPPLEMENTAL APPEAL BRIEF

U.S. Patent and Trademark Office
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Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

In response to the Notification of Non-Compliant Appeal Brief mailed December 17, 2007, this is a Supplemental Appeal Brief in accordance with 37 C.F.R. § 41.37 in support of Appellants' October 13, 2006, Notice of Appeal and Pre-Appeal Brief Request for Review. No fees are believed due; however, if fees are outstanding, please charge any necessary fees in connection with this Appeal Brief to our Deposit Account No. 19-0733.

In accordance with the Order Returning Undocketed Appeal to the Examiner mailed November 26, 2007, Appellants include this paper providing a summary of the claimed subject matter as required by 37 CFR 41.37(c)(1)(v) only. This response is being timely filed.

V.   SUMMARY OF CLAIMED SUBJECT MATTER
37 C.F.R. § 41.37(c)(1)(v)

In making reference herein to various portions of the specification and drawings in order to explain the claimed invention, Appellants do not intend to limit the claims; all references to the specification and drawings are illustrative unless otherwise explicitly stated.

The invention relates generally to apparatuses and methods for controlling an illumination member on a computer input device. More specifically, the invention relates to a notification method and system for controlling an illumination member on a computer input device based on an event, state or occurrence in a computer application. *Specification*, p. 1, ll. 9-13.

Providing support for independent claim 35, and in accordance with one or more aspects of the present invention, the invention includes a computer readable medium having computer-executable instructions to perform a method that includes determining, in a computer, whether a predetermined event has occurred. *Specification*, p. 12, ll. 29-31; p. 15, ll. 3-6 and 9-13. The method further includes communicating with a computer input device having an illumination member to cause the illumination member to change states in response to the determining step. As shown in Figure 6 of Appellant's original drawings, a computer processing unit 310 may be coupled to a computer input device control program 330 to control the "state" or "states" of one ore more illumination members 14 of a computer input device 10. *Specification*, p. 12, ll. 15-17. Such states may include: (1) whether the illumination member 14 of the computer input device 10 is ON or OFF; (2) the degree of illumination (the light intensity or amount of lumens) of the illumination member 14; (3) the color of the illumination member 14 (if the illumination member 14 is a multicolor LED or other device permitting changes in color; and/or (4) the blinking or flashing of the illumination member 14 (and blinking or flashing sequences). *Specification*, p. 12, ll. 17-22. Such states may be affected by program routines 332, 334, 336, and 338. If more than one illumination member 14 is used on a computer input device 10, the state or states may be changed separately or simultaneously. If desired, a user may be given the option of overriding the changing of the states. *Specification*, p. 12, ll. 22-28. The illumination member 14 may be controlled by a computer 200 in response to an event or occurrence, a condition, or any other activity relating to an application 320-322 being run by the computer 300. *Specification*, p. 12, ll. 29-31. This arrangement enables an occurrence, a state, or any other activity relating to any program 320-322 being run by the computer 300 to cause the illumination member 14 to change states. *Specification*, p. 13, ll. 8-10. The method also includes establishing a set of senders, wherein the determining step includes determining whether a sender of an incoming message is in the set. A comparison may be performed to see if the sender of the

message is a predetermined user or a user from a predetermined list. Illumination member 14 may change states if the message was sent form a particular user or a user in a particular group. *Specification*, p. 13, ll. 17-20. As recited, the communicating step includes causing the illumination member to chance intensity. States of the illumination member can be changed in a number of different ways such as by blinking the light, or changing the color or intensity of the light. *Specification*, p. 5, ll. 1-2.

Providing support for independent claim 37, and in accordance with one or more aspects of the present invention, the invention includes a method for controlling an illumination member on a computer input device. The method includes determining, in a computer, whether a predetermined event has occurred. *Specification*, p. 12, ll. 29-31; p. 15, ll. 3-6 and 9-13. The method further includes changing a state associated with the illumination member in response to the determining step. As shown in Figure 6 of Appellant's original drawings, a computer processing unit 310 may be coupled to a computer input device control program 330 to control the "state" or "states" of one ore more illumination members 14 of a computer input device 10. *Specification*, p. 12, ll. 15-17. Such states may include: (1) whether the illumination member 14 of the computer input device 10 is ON or OFF; (2) the degree of illumination (the light intensity or amount of lumens) of the illumination member 14; (3) the color of the illumination member 14 (if the illumination member 14 is a multicolor LED or other device permitting changes in color; and/or (4) the blinking or flashing of the illumination member 14 (and blinking or flashing sequences). *Specification*, p. 12, ll. 17-22. Such states may be affected by program routines 332, 334, 336, and 338. If more than one illumination member 14 is used on a computer input device 10, the state or states may be changed separately or simultaneously. If desired, a user may be given the option of overriding the changing of the states. *Specification*, p. 12, ll. 22-28. The illumination member 14 may be controlled by a computer 200 in response to an event or occurrence, a condition, or any other activity relating to an application 320-322 being run by the computer 300. *Specification*, p. 12, ll. 29-31. This arrangement enables an occurrence, a state, or any other activity relating to any program 320-322 being run by the computer 300 to cause the illumination member 14 to change states. *Specification*, p. 13, ll. 8-10. The method also includes establishing a set of senders, wherein the determining step includes determining whether a sender of an incoming message is in the set. A comparison may be performed to see if the sender of the

message is a predetermined user or a user from a predetermined list. Illumination member 14 may change states if the message was sent form a particular user or a user in a particular group. *Specification*, p. 13, ll. 17-20.

Providing support for independent claim 39, and in accordance with one or more aspects of the present invention, the invention includes a method for controlling an illumination member on a computer input device. The method includes determining, in a computer, whether a predetermined event has occurred. *Specification*, p. 12, ll. 29-31; p. 15, ll. 3-6 and 9-13. The method further includes changing a state associated with the illumination member in response to the determining step. As shown in Figure 6 of Appellant's original drawings, a computer processing unit 310 may be coupled to a computer input device control program 330 to control the "state" or "states" of one ore more illumination members 14 of a computer input device 10. *Specification*, p. 12, ll. 15-17. Such states may include: (1) whether the illumination member 14 of the computer input device 10 is ON or OFF; (2) the degree of illumination (the light intensity or amount of lumens) of the illumination member 14; (3) the color of the illumination member 14 (if the illumination member 14 is a multicolor LED or other device permitting changes in color; and/or (4) the blinking or flashing of the illumination member 14 (and blinking or flashing sequences). *Specification*, p. 12, ll. 17-22. Such states may be affected by program routines 332, 334, 336, and 338. If more than one illumination member 14 is used on a computer input device 10, the state or states may be changed separately or simultaneously. If desired, a user may be given the option of overriding the changing of the states. *Specification*, p. 12, ll. 22-28. The illumination member 14 may be controlled by a computer 200 in response to an event or occurrence, a condition, or any other activity relating to an application 320-322 being run by the computer 300. *Specification*, p. 12, ll. 29-31. This arrangement enables an occurrence, a state, or any other activity relating to any program 320-322 being run by the computer 300 to cause the illumination member 14 to change states. *Specification*, p. 13, ll. 8-10. As recited, the determining step includes determining whether an instant message has been received and determining whether an email message has been received. The illumination member 14 may change states in response to the receipt of an e-mail, voice mail, or facsimile message. *Specification*, p. 13, ll. 14-16. As recited, the changing step includes changing the state associated with the illumination member to a first state in response to determining an instant

message has been received and changing the state associated with the illumination member to a second state in response to determining an email message has been received. If more than one illumination device 14 is used on the track-mouse device 10, the state or states may be changed separately or simultaneously. *Specification*, p. 12, ll. 25-27.

Providing support for independent claim 40, and in accordance with one or more aspects of the present invention, the invention includes a method for controlling an illumination member on a computer input device. The method includes determining, in a computer, whether a predetermined event has occurred. *Specification*, p. 12, ll. 29-31; p. 15, ll. 3-6 and 9-13. The method further includes changing a state associated with the illumination member in response to the determining step. As shown in Figure 6 of Appellant's original drawings, a computer processing unit 310 may be coupled to a computer input device control program 330 to control the "state" or "states" of one ore more illumination members 14 of a computer input device 10. *Specification*, p. 12, ll. 15-17. Such states may include: (1) whether the illumination member 14 of the computer input device 10 is ON or OFF; (2) the degree of illumination (the light intensity or amount of lumens) of the illumination member 14; (3) the color of the illumination member 14 (if the illumination member 14 is a multicolor LED or other device permitting changes in color; and/or (4) the blinking or flashing of the illumination member 14 (and blinking or flashing sequences). *Specification*, p. 12, ll. 17-22. Such states may be affected by program routines 332, 334, 336, and 338. If more than one illumination member 14 is used on a computer input device 10, the state or states may be changed separately or simultaneously. If desired, a user may be given the option of overriding the changing of the states. *Specification*, p. 12, ll. 22-28. The illumination member 14 may be controlled by a computer 200 in response to an event or occurrence, a condition, or any other activity relating to an application 320-322 being run by the computer 300. *Specification*, p. 12, ll. 29-31. This arrangement enables an occurrence, a state, or any other activity relating to any program 320-322 being run by the computer 300 to cause the illumination member 14 to change states. *Specification*, p. 13, ll. 8-10. As recited, the determining step includes determining whether a request to respond to one of a video conference call and an audio conference call has been received. Such programs include communication software or chat rooms, instant messaging, and video and/or audio conference calls. An illumination member 14 on a computer input device 10 may change one or more states in

response to receipt of a solicitation to join a chat room, instant messaging, or a call. Additionally or alternatively, illumination member 14 may change one or more states due to notification that a user has entered a common program or system and is now capable of receiving a solicitation to join a chat room or call. *Specification*, p. 13, l. 29 to p. 14, l. 5.

Providing support for independent claim 41, and in accordance with one or more aspects of the present invention, the invention includes a method for controlling an illumination member on a computer input device. The method includes determining, in a computer, whether a predetermined event has occurred. *Specification*, p. 12, ll. 29-31; p. 15, ll. 3-6 and 9-13. The method further includes changing a state associated with the illumination member in response to the determining step. As shown in Figure 6 of Appellant's original drawings, a computer processing unit 310 may be coupled to a computer input device control program 330 to control the "state" or "states" of one ore more illumination members 14 of a computer input device 10. *Specification*, p. 12, ll. 15-17. Such states may include: (1) whether the illumination member 14 of the computer input device 10 is ON or OFF; (2) the degree of illumination (the light intensity or amount of lumens) of the illumination member 14; (3) the color of the illumination member 14 (if the illumination member 14 is a multicolor LED or other device permitting changes in color; and/or (4) the blinking or flashing of the illumination member 14 (and blinking or flashing sequences). *Specification*, p. 12, ll. 17-22. Such states may be affected by program routines 332, 334, 336, and 338. If more than one illumination member 14 is used on a computer input device 10, the state or states may be changed separately or simultaneously. If desired, a user may be given the option of overriding the changing of the states. *Specification*, p. 12, ll. 22-28. The illumination member 14 may be controlled by a computer 200 in response to an event or occurrence, a condition, or any other activity relating to an application 320-322 being run by the computer 300. *Specification*, p. 12, ll. 29-31. This arrangement enables an occurrence, a state, or any other activity relating to any program 320-322 being run by the computer 300 to cause the illumination member 14 to change states. *Specification*, p. 13, ll. 8-10. As recited, the determining step includes determining whether a user is capable of receiving a solicitation. An illumination member 14 on a computer input device 10 may change one or more states in response to receipt of a solicitation to join a chat room, instant messaging, or a call. Additionally or alternatively, illumination member 14 may change one or more states due to notification that a

user has entered a common program or system and is now capable of receiving a solicitation to join a chat room or call. *Specification*, p. 13, l. 31 to p. 14, l. 5.

Providing support for independent claim 42, and in accordance with one or more aspects of the present invention, the invention includes a method for controlling an illumination member on a computer input device. The method includes determining, in a computer, whether a predetermined event has occurred. *Specification*, p. 12, ll. 29-31; p. 15, ll. 3-6 and 9-13. The method further includes changing a state associated with the illumination member in response to the determining step. As shown in Figure 6 of Appellant's original drawings, a computer processing unit 310 may be coupled to a computer input device control program 330 to control the "state" or "states" of one ore more illumination members 14 of a computer input device 10. *Specification*, p. 12, ll. 15-17. Such states may include: (1) whether the illumination member 14 of the computer input device 10 is ON or OFF; (2) the degree of illumination (the light intensity or amount of lumens) of the illumination member 14; (3) the color of the illumination member 14 (if the illumination member 14 is a multicolor LED or other device permitting changes in color; and/or (4) the blinking or flashing of the illumination member 14 (and blinking or flashing sequences). *Specification*, p. 12, ll. 17-22. Such states may be affected by program routines 332, 334, 336, and 338. If more than one illumination member 14 is used on a computer input device 10, the state or states may be changed separately or simultaneously. If desired, a user may be given the option of overriding the changing of the states. *Specification*, p. 12, ll. 22-28. The illumination member 14 may be controlled by a computer 200 in response to an event or occurrence, a condition, or any other activity relating to an application 320-322 being run by the computer 300. *Specification*, p. 12, ll. 29-31. This arrangement enables an occurrence, a state, or any other activity relating to any program 320-322 being run by the computer 300 to cause the illumination member 14 to change states. *Specification*, p. 13, ll. 8-10. As recited, the determining step includes comparing a scheduled event time relative to an actual time set in the computer. An illumination member 14 of a computer input device 10 may change states in response to calendar and/or scheduling programs. *Specification*, p. 14, ll. 6-7. The relationship between the changing of one or more states and an item on the calendar or scheduling program may be set to be either instantaneous to the time or date or may be set to provide and advance warning of the set time and date. *Specification*, p. 14, ll. 8-15.

Providing support for independent claim 43, and in accordance with one or more aspects of the present invention, the invention includes a method for controlling an illumination member on a computer input device. The method includes determining, in a computer, whether a predetermined event has occurred. *Specification*, p. 12, ll. 29-31; p. 15, ll. 3-6 and 9-13. The method further includes changing a state associated with the illumination member in response to the determining step. As shown in Figure 6 of Appellant's original drawings, a computer processing unit 310 may be coupled to a computer input device control program 330 to control the "state" or "states" of one ore more illumination members 14 of a computer input device 10. *Specification*, p. 12, ll. 15-17. Such states may include: (1) whether the illumination member 14 of the computer input device 10 is ON or OFF; (2) the degree of illumination (the light intensity or amount of lumens) of the illumination member 14; (3) the color of the illumination member 14 (if the illumination member 14 is a multicolor LED or other device permitting changes in color; and/or (4) the blinking or flashing of the illumination member 14 (and blinking or flashing sequences). *Specification*, p. 12, ll. 17-22. Such states may be affected by program routines 332, 334, 336, and 338. If more than one illumination member 14 is used on a computer input device 10, the state or states may be changed separately or simultaneously. If desired, a user may be given the option of overriding the changing of the states. *Specification*, p. 12, ll. 22-28. The illumination member 14 may be controlled by a computer 200 in response to an event or occurrence, a condition, or any other activity relating to an application 320-322 being run by the computer 300. *Specification*, p. 12, ll. 29-31. This arrangement enables an occurrence, a state, or any other activity relating to any program 320-322 being run by the computer 300 to cause the illumination member 14 to change states. *Specification*, p. 13, ll. 8-10. As recited, the determining step includes determining whether a correct answer has been input. If an application program is an educational, trivia, or child development related game, an illumination member 14 may be an encouragement tool to change states in response to the entry of a correct answer. *Specification*, p. 14, ll. 19-22.

Providing support for independent claim 44, and in accordance with one or more aspects of the present invention, the invention includes a method for controlling an illumination member on a computer input device. The method includes determining, in a computer, whether a predetermined event has occurred. *Specification*, p. 12, ll. 29-31; p. 15, ll. 3-6 and 9-13. The

method further includes changing a state associated with the illumination member in response to the determining step.   As shown in Figure 6 of Appellant's original drawings, a computer processing unit 310 may be coupled to a computer input device control program 330 to control the "state" or "states" of one ore more illumination members 14 of a computer input device 10. *Specification*, p. 12, ll. 15-17. Such states may include: (1) whether the illumination member 14 of the computer input device 10 is ON or OFF; (2) the degree of illumination (the light intensity or amount of lumens) of the illumination member 14; (3) the color of the illumination member 14 (if the illumination member 14 is a multicolor LED or other device permitting changes in color; and/or (4) the blinking or flashing of the illumination member 14 (and blinking or flashing sequences). *Specification*, p. 12, ll. 17-22. Such states may be affected by program routines 332, 334, 336, and 338. If more than one illumination member 14 is used on a computer input device 10, the state or states may be changed separately or simultaneously. If desired, a user may be given the option of overriding the changing of the states. *Specification*, p. 12, ll. 22-28. The illumination member 14 may be controlled by a computer 200 in response to an event or occurrence, a condition, or any other activity relating to an application 320-322 being run by the computer 300. *Specification*, p. 12, ll. 29-31. This arrangement enables an occurrence, a state, or any other activity relating to any program 320-322 being run by the computer 300 to cause the illumination member 14 to change states.   *Specification*, p. 13, ll. 8-10. As recited, the determining step includes determining one of a state, a characteristic, and a condition relating to a character in a game program. If the application program is an adventure game, the illumination member 14 may change states when a character enters a dangerous area or situation, may change states when a player has run out of or is running out of a particular supply (e.g., food, money, or ammunition), may change states in response to being in a given proximity with a desirable or undesirable object, and/or may blink or flash with the number of blinks or flashes corresponding to the number of lives remaining. *Specification*, p. 14, ll. 22-28.

Providing support for independent claim 49, and in accordance with one or more aspects of the present invention, the invention includes a method for controlling an illumination member on a computer input device.   The method includes determining, in a computer, whether a predetermined event has occurred. *Specification*, p. 12, ll. 29-31; p. 15, ll. 3-6 and 9-13. The method further includes changing a state associated with the illumination member in response to

the determining step. As shown in Figure 6 of Appellant's original drawings, a computer processing unit 310 may be coupled to a computer input device control program 330 to control the "state" or "states" of one ore more illumination members 14 of a computer input device 10. *Specification*, p. 12, ll. 15-17. Such states may include: (1) whether the illumination member 14 of the computer input device 10 is ON or OFF; (2) the degree of illumination (the light intensity or amount of lumens) of the illumination member 14; (3) the color of the illumination member 14 (if the illumination member 14 is a multicolor LED or other device permitting changes in color; and/or (4) the blinking or flashing of the illumination member 14 (and blinking or flashing sequences). *Specification*, p. 12, ll. 17-22. Such states may be affected by program routines 332, 334, 336, and 338. If more than one illumination member 14 is used on a computer input device 10, the state or states may be changed separately or simultaneously. If desired, a user may be given the option of overriding the changing of the states. *Specification*, p. 12, ll. 22-28. The illumination member 14 may be controlled by a computer 200 in response to an event or occurrence, a condition, or any other activity relating to an application 320-322 being run by the computer 300. *Specification*, p. 12, ll. 29-31. This arrangement enables an occurrence, a state, or any other activity relating to any program 320-322 being run by the computer 300 to cause the illumination member 14 to change states. *Specification*, p. 13, ll. 8-10. The method also includes establishing a set of senders, wherein the determining step includes determining whether a sender of an incoming message is in the set. A comparison may be performed to see if the sender of the message is a predetermined user or a user from a predetermined list. Illumination member 14 may change states if the message was sent form a particular user or a user in a particular group. *Specification*, p. 13, ll. 17-20. As recited, the changing step includes causing the illumination member to chance intensity. States of the illumination member can be changed in a number of different ways such as by blinking the light, or changing the color or intensity of the light. *Specification*, p. 5, ll. 1-2.

Providing support for independent claim 50, and in accordance with one or more aspects of the present invention, the invention includes a method for controlling an illumination member on a computer input device. The method includes determining, in a computer, whether a predetermined event has occurred. *Specification*, p. 12, ll. 29-31; p. 15, ll. 3-6 and 9-13. The method further includes changing a state associated with the illumination member in response to

the determining step. As shown in Figure 6 of Appellant's original drawings, a computer processing unit 310 may be coupled to a computer input device control program 330 to control the "state" or "states" of one ore more illumination members 14 of a computer input device 10. *Specification*, p. 12, ll. 15-17. Such states may include: (1) whether the illumination member 14 of the computer input device 10 is ON or OFF; (2) the degree of illumination (the light intensity or amount of lumens) of the illumination member 14; (3) the color of the illumination member 14 (if the illumination member 14 is a multicolor LED or other device permitting changes in color; and/or (4) the blinking or flashing of the illumination member 14 (and blinking or flashing sequences). *Specification*, p. 12, ll. 17-22. Such states may be affected by program routines 332, 334, 336, and 338. If more than one illumination member 14 is used on a computer input device 10, the state or states may be changed separately or simultaneously. If desired, a user may be given the option of overriding the changing of the states. *Specification*, p. 12, ll. 22-28. The illumination member 14 may be controlled by a computer 200 in response to an event or occurrence, a condition, or any other activity relating to an application 320-322 being run by the computer 300. *Specification*, p. 12, ll. 29-31. This arrangement enables an occurrence, a state, or any other activity relating to any program 320-322 being run by the computer 300 to cause the illumination member 14 to change states. *Specification*, p. 13, ll. 8-10. As recited, the determining step includes determining whether a request to respond to a solicitation to join a chat room has been received. An illumination member 14 on a computer input device 10 may change one or more states in response to receipt of a solicitation to join a chat room, instant messaging, or a call. *Specification*, p. 13, l. 31 to p. 14, l. 2.

Providing support for independent claim 52, and in accordance with one or more aspects of the present invention, the invention includes a computer readable medium having computer-executable instructions to perform a method that includes determining, in a computer, whether a predetermined event has occurred. *Specification*, p. 12, ll. 29-31; p. 15, ll. 3-6 and 9-13. The method further includes communicating with a computer input device having an illumination member to cause the illumination member to change to a first state in response to determining that the predetermined event corresponds to receipt of a new email message. As shown in Figure 6 of Appellant's original drawings, a computer processing unit 310 may be coupled to a computer input device control program 330 to control the "state" or "states" of one ore more

illumination members 14 of a computer input device 10. *Specification*, p. 12, ll. 15-17. Such states may include: (1) whether the illumination member 14 of the computer input device 10 is ON or OFF; (2) the degree of illumination (the light intensity or amount of lumens) of the illumination member 14; (3) the color of the illumination member 14 (if the illumination member 14 is a multicolor LED or other device permitting changes in color; and/or (4) the blinking or flashing of the illumination member 14 (and blinking or flashing sequences). *Specification*, p. 12, ll. 17-22. Such states may be affected by program routines 332, 334, 336, and 338. If more than one illumination member 14 is used on a computer input device 10, the state or states may be changed separately or simultaneously. *Specification*, p. 12, ll. 25-27. The illumination member 14 may be controlled by a computer 200 in response to an event or occurrence, a condition, or any other activity relating to an application 320-322 being run by the computer 300. *Specification*, p. 12, ll. 29-31. This arrangement enables an occurrence, a state, or any other activity relating to any program 320-322 being run by the computer 300 to cause the illumination member 14 to change states. *Specification*, p. 13, ll. 8-10. The method also includes communicating with the computer input device having the illumination member to cause the illumination member to change to a second state in response to determining that the predetermined event corresponds to receipt of a new instant message. The illumination member 14 may change states in response to the receipt of an e-mail, voice mail, or facsimile message. *Specification*, p. 13, ll. 14-16. If more than one illumination member 14 is used on a computer input device 10, the state or states may be changed separately or simultaneously. *Specification*, p. 12, ll. 25-27. The method also includes communicating with the computer input device having the illumination member to cause the illumination member to change to a third state in response to determining that the predetermined event corresponds to input of a correct answer. If an application program is an educational, trivia, or child development related game, an illumination member 14 may be an encouragement tool to change states in response to the entry of a correct answer. *Specification*, p. 14, ll. 19-22. If more than one illumination member 14 is used on a computer input device 10, the state or states may be changed separately or simultaneously. *Specification*, p. 12, ll. 25-27.

CONCLUSION

For all of the foregoing reasons, Appellants respectfully submit that the final rejection of the claims is/are improper and should be reversed.

Respectfully submitted,
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